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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 000432

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TAGS: PHUM PREL MASS ETRD IR CH EUN USEU BRUSSELS

SUBJECT: EU HUMAN RIGHTS AGENDA PREVIEW: CHR-60 AND CHINA

REF: A. A) DUBLIN 135

1B. B) BRUSSELS 346 (ALL NOTAL)

Classified By: USEU POLOFF Harry O'Hara, reasons 1.4 (b) and (d)

1. (C) Summary: Further to ref A, European Council human rights experts stressed the importance of earlier bilateral consultations on country-specific resolutions, while noting that a number of EU member state human rights experts continue to have trouble dealing with the US "thematics" paper. Recent EU discussions on lifting the EU arms embargo on China (ref B) have led to some internal discomfort among some EU human rights experts. End Summary

China

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2. (C) The EU Secretariat has decided to split its internal February 4 COHOM session into two meetings. In the morning, the human rights experts will meet by themselves. In the afternoon, in an unusual step, EU COHOM experts will be joined by EU Asia experts (COASI) (agendas below). This is being driven by recent thinking in the EU to lift the arms embargo on China and the need to consider how to deal with China at CHR-60. This is leading to unhappiness among some Brussels-based EU human rights experts who are being subject to human rights NGO pressure.

3. (C) One of our interlocutors noted that discussion about lifting the Chinese arms embargo is being conducted in the Political and Security Committee (PSC) without COHOM participation. She said that the Irish Presidency/PSC had asked for three papers on China from the Council: codes of conduct, overall EU/China relations and China human rights. She said that she had written the human rights paper and has said while China is making progress on economic rights, it is difficult to argue that progress is being made in political and civil rights in China. EU support for a CHR resolution this spring is going to be very difficult to see, she opined, but in any case, it is highly unlikely that the EU will agree to anything until after the next round of the EU/China human rights dialogue in Dublin February 26-27. Furthermore, anything that is decided on EU support for a CHR resolution on China will most likely come from the Council of Ministers (heads of state) level. We note that the Council Secretariat's draft agenda (below) proposes China/human

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rights as a separate item to discuss with the US.

Draft US/EU COHOM agenda; Internal EU COHOM Agendas

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4. (SBU) The Council Secretariat has suggested to the Irish Presidency that the agenda for the February 11 US/EU COHOM meeting cover: 1) CHR-60 prep (including the thematics package); 2) CHR membership reform; 3) Corporate Social Responsibility; 4) China/Human Rights; 5) "Caucus of Democracies"; 6) Death Penalty. The Irish have agreed to this proposed agenda and we can expect to be asked for our reaction before the February 4 EU human rights experts meeting.

5. (U) The EU agenda for their internal meeting is: 1) Review of draft norms for Transnational Corporations; 2) CHR-60 preparations with a focus of getting agreement for countries that EU will seek resolutions or lesser measures; 3) US/EU troika meeting (including an effort to get a response to the US thematics paper); 4) preparation for other troikas (EU/Canada experts meet in NY February 10); 5) internal review of overall EU human rights policy; 6) Implementation of guidelines on children in armed conflict; 7) Death penalty in Belize, and 8) draft juvenile amicus curiae brief. The last item would be to review a proposed EU friend of the court brief in US courts opposing the application of the death penalty against minors. For the second, joint COHOM/COASI, meeting February 4 (afternoon), the EU will also discuss 1) CHR-60, 2) preparing for the next round of the EU/China human rights dialogue, and 3) implementation of EU guidelines on torture.

EU/Iran human rights dialogue remains stalled

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6. (C) One of our EU interlocutors confirmed that the Iranians still have not replied to an EU request to go ahead

with a next round of the EU/Iran human rights dialogue (which had been scheduled for March 8-9). Currently the EU is not pushing for a response, we were told, pending what happens in the February 20 Parliamentary election in Iran.

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